IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 8TH DECEMBER 2006 / 17TH AGRAHAYANA 1928

WP(C).No. 30453 of 2006(A)

PETITIONER:

SHAJI C.S.,
S/O.SEKHARAN, CHAKKAMADATHIL,
VATANAPPILLY, CHAVAKKAD.

BY ADV. SRI.K.I.SAGEER IBRAHIM

RESPONDENTS:
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1. SUB INSPECTOR OF POLICE,
VATANAPPILLY POLICE STATION,
VATANAPPILLY P.O.

2. SUPERINTENDENT OF POLICE,
THRISSUR DISTRICT.

3. SUB DIVISIONAL MAGISTRATE,
THRISSUR.

BY G.P.SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.R.UDAYABHANU, JJ.

W.P.(C)NO.30453 OF 2006

Dated 8th December, 2006

JUDGMENT

Koshy,J.

This is a petition alleging police harassment. It is the case of the petitioner that he purchased 9.6 cents of property, but, owner of the nearby property filed a complaint before the police stating that there is a thodu in the petitioner's property and petitioner is obstructing free flow of water through it and based on that complaint the police is harassing the petitioner. On instructions, learned Government Pleader submitted that when a complaint was filed before the Revenue Divisional Officer, on direction of the R.D.O. police has only questioned the petitioner. If the petitioner has got rights over the property, it is for the petitioner to approach appropriate authorities, but, police cannot be prevented from conducting enquiries as per the instruction of the R.D.O. Petitioner has to approach the R.D.O. for appropriate orders at the earliest.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

K.R.UDAYABHANU
JUDGE

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